

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:15-cv-1063

ACTION NC, DEMOCRACY NORTH)
CAROLINA, NORTH CAROLINA A.)
PHILIP RANDOLPH INSTITUTE,)
SHERRY DENISE HOLVERSON,)
ISABEL NAJERA, and ALEXANDRIA)
MARIE LANE,) DEFENDANT STRACH'S RESPONSE
Plaintiffs,) IN OPPOSITION TO PLAINTIFFS'
vs.) MOTION FOR PRELIMINARY
vs.) INJUNCTION
KIM WESTBROOK STRACH, *in her*)
official capacity as Executive Director of)
the North Carolina State Board of)
Elections; RICK BRAJER, in his official)
capacity as Secretary of the North)
Carolina Department of Health and)
Human Services; KELLY THOMAS, in his)
official capacity as Commissioner of the)
North Carolina Division of Motor Vehicles,)
and NICK TENNYSON, *in his official*)
capacity as Secretary of the North)
Carolina Department of Transportation,)
Defendants.)

NOW COMES DEFENDANT, Kim Westbrook Strach, in her official capacity as Executive Director of the North Carolina State Board of Elections ("SBE"), by and through undersigned counsel, and hereby submits this Response in Opposition to Plaintiffs' Motion for a Preliminary Injunction. In support of her opposition, Defendant Strach relies upon the following:

1. Defendant Strach's Memorandum in Opposition to Plaintiffs' Motion for Preliminary Injunction filed contemporaneously herewith;
2. The Declaration of Veronica W. Degraffenreid and the Second Declaration of Brian D. Neesby filed contemporaneously herewith;
3. Declarations and the Supporting Memorandum of Authority filed by or on behalf of Co-defendants that contain matters, although not addressed by Defendant Strach in her filings, that also show that Plaintiffs are not entitled to the relief requested; and
4. All other matters of record, including the Complaint (ECF # 1), Defendant Strach's Motion to Dismiss with appended Declaration of Brian D. Neesby (ECF #28), Defendant Strach's Memorandum in Support of Motion to Dismiss (ECF # 29), and Defendant's Answer (ECF # 30).

WHEREFORE, Defendant Strach respectfully requests that this Court deny Plaintiffs' Motion for Preliminary Injunction.

Respectfully submitted this the 14th day of April 2016.

NORTH CAROLINA DEPARTMENT
OF JUSTICE

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CERTIFICATE OF SERVICE

I hereby certify that on 14 April 2016, I electronically filed the foregoing DEFENDANT STRACH'S RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

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This the 14th day of April 2016.

/s/ Lauren M. Clemons
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Special Deputy Attorney General